

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

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JOHN BARNHARDT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
and	)	
	)	
UNITED STATES OF AMERICA,	)	Civil Action No. 4:65-cv-01300-HTW-LRA
	)	1300(E)
Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
MERIDIAN MUNICIPAL SEPARATE	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	

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**PRIVATE PLAINTIFFS' UNOPPOSED MOTION TO LIFT THE STAY**

COMES NOW Private Plaintiffs, John Barnhardt *et al.* (collectively, "Plaintiffs"), by and through Counsel, and moves this Court to lift the stay granted herein (ECF No. 149), and in support thereof, would show unto the Court the following:

1. On December 27, 2018, Magistrate Judge Linda R. Anderson entered a text order granting the Department of Justice's Motion to Stay. ECF No. 145. The omnibus motion for a stay of all civil cases in the Southern District of Mississippi covered all cases in which a federal agency is a party due to lapse of appropriations. ECF No. 149.

2. On January 25, 2019, the Continuing Budget Resolution was extended to February 15, 2019 to end the partial government shutdown. On January 31, 2019, the Department of Justice emailed the Court to inform it that the Department of Justice had returned to work on January 28, 2019. In that email, the Department of Justice requested that the Court lift the stay.

3. On August 9, 2019, Plaintiffs and Defendants filed a Joint Motion for Settlement Agreement and Authorization of Notice to the Plaintiff Class Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure. ECF Nos. 158, 159.

4. The Plaintiffs respectfully request that this Court enter an Order lifting the stay and enter an order (ECF. No. 158-4) granting Plaintiffs' and Defendants' Joint Motion for a Settlement Agreement (ECF No. 158) and Notice to Plaintiff Class (ECF No. 158-2), so that this matter may move forward towards a Fairness Hearing. The Defendants and Department of Justice join Plaintiffs' motion.

Dated: January 31, 2020

Respectfully Submitted,

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*Counsel for Private Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 31st day of January, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel record.

/s/ Natasha Merle  
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